

MINUTES
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BOARD OF SELECTMEN
TUESDAY, APRIL 18, 2006
REGULAR SESSION
CONFERENCE MEETING ROOM 2, TOWN HALL
7:00 PM

Call to Order

A regular meeting of the Board was called to order in open session in Conference Room 2 of Town Hall at 7:05 PM. All members were present. Town Administrator Tom Younger and Assistant Town Administrator Jeff Conti were also present.

Questions from Town Residents

Resident Don Mercier stated the following:

- The Town should be cutting the rent it pays at the Senior Center.
- It makes no sense to save money by not watering fields because you're neglecting a capital item.
- Can the front door of Town Hall be repaired instead of replaced to save money?
- The security system needs to be looked at by technical people to see if the Town can save money there.
- Does the Town need to spend \$26,000 for new snowplows – why not fix the ones we have?
- It is a disgrace to even discuss closing the library on Sundays –if there is a need to reduce hours it should be on a weekday morning so that working people are not affected. That is a real slap in the face.
- The Warrant Committee should be picking apart all of these items.

Mr. Mercier stated he has years of building experience but was not put on the board of the Housing Trust. The Town gave away a million dollars worth of land for affordable housing and could have made money on that. He said the Town is not spending his money right.

Action by Appointment

Arbor Day Proclamation

Chairman Solomon said that Friday, April 28 will be Arbor Day and the residents of Belmont are encouraged to plant trees. This will be Belmont's 21st year as a Tree City USA.

The Board moved: to sign the proclamation.

The motion carried unanimously (3-0).

Board of Cemetery Commissioners Proclamation

Selectman Firenze read a proclamation recognizing the work the Cemetery Commission has done in bringing on line the Town's new cemetery and selling a large number of lots.

The Board moved: to sign the proclamation.

The motion carried unanimously (3-0).

Discussion of Fire Station Building Committee

Fire Stations Building Committee Chair Bob McLaughlin and members Bill Webster, Bill Lovallo, Linda Oates, and Fire Chief Dave Frizzell appeared before the Board of Selectmen.

Chairman McLaughlin explained that the stations are about 75-80% complete and should be substantially done by end of July. August will be the wrap-up month. Move-in would be right after Labor Day. A dedication could be the second week in October (Fire Safety week). The project is on budget with change orders so far totaling 3% of the cost (7% was budgeted.)

Chairman Solomon noted the issue of a new fire station goes back more than 50 years. He asked if the Committee could clarify for some why the stations need to be so big.

Chairman McLaughlin answered that people are comparing to the old stations, one of which dates back to Grant's administration. The Town is going from 3 stations to 2. The size is driven by how much equipment and personnel there is and what the building codes require. The Town presently has 6 vehicle bays but needed to go to 8 bays. If you have two cars you don't build a one-car garage. And the bays are what make people feel the stations are big. The current bays are only 11 feet wide and that is not big enough for modern equipment. So the size of the buildings is driven by the bays and you could only reduce the size by taking out a bay. The cost savings would essentially be one garage door – less than 1% of the overall cost of the job. Because there isn't a lot of land the Committee had to build two-story buildings. The new stations have facilities for women which the old ones did not. The new stations are handicapped accessible. Stairways and corridors are required by code to be a certain size. The new stations have a laundry room, data/radio room, turnout gear room, a deluge shower. The office space has only increased about 4 ½ percent. The architect wanted the buildings bigger and the Committee whittled down the design. They look bigger than the old but they are not oversized buildings. The design was done just in time to beat the price hikes in building costs and as a result these buildings will be looked back on as a bargain.

Selectman Firenze noted that people tell him other towns have smaller fire stations, but it seems they may also have more land to spread things out.

Chairman Solomon said that citizens need to be able to ask these questions and then hopefully we can look back and be proud of the job the committee has done. Selectman Brownsberger said that these questions have been asked by this Board and other groups over the last 8 years.

Selectman Firenze said that he probably would have made the same decisions this Committee made. But one can make a series of correct decisions and still not be comfortable that the Town can afford the end product even if it is the right thing to do.

Chairman McLaughlin said that he sat in the Mega Group meetings and the consensus was that public safety was the number one priority and had been neglected.

Chief Frizzell added that for 25 years the Town didn't address maintenance of its fire stations because it was assumed "we are getting new fire stations".

Selectman Firenze agreed and said that's what is being done to every building in town now.

Selectman Brownsberger asked Selectman Firenze if he was comfortable that everything had been done as well as possible. Selectman Firenze said no. As an example, he said we might have built cinder block instead of brick if it would have saved money.

Chairman McLaughlin said the Committee made changes to the design based on public input. The buildings are being built the way Committee members would have built their own homes.

Selectman Firenze asked what if you didn't have the money?

Chairman McLaughlin said he would work harder and make the money. He asked if Selectman Firenze voted for the project. Selectman Firenze answered he voted against it on three occasions.

Chairman Solomon noted that the Town is not just building for today, but for the future.

Selectman Firenze said the committee has worked hard and it is time to move on, but what can be learned from this experience about the process?

Chief Frizzell noted that some of the decisions were vetted over six years. If people have concerns they need to be active and go to the meetings. Selectman Firenze agreed.

There was discussion about the Town Hall Building Committee. Selectman Firenze said after meeting with that committee he appreciated the committee's hard work and he and the chair agreed it was a B+ building.

Selectman Firenze asked if public safety has suffered because of the temporary fire quarters in the Town Yard. Chief Frizzell said that it has not.

There was discussion of the alarm system for the new buildings. Chairman McLaughlin said the Town has been trying to codify its needs in this area. The Committee decided it had to move forward in parallel with what the town is doing.

Chief Frizzell said that as long as we are using the same access cards, the system we are pursuing should be able to be expanded to other town buildings.

Selectman Firenze said he would just like to avoid having to re-do the fire stations' system in the future to match up with what the Town has implemented.

Discussion of FY 07 Water and Sewer Rate

Ralph Jones, Chairman of the Sewer and Stormwater Committee, and Public Works Director Peter Castanino appeared before the Board.

Mr. Castanino explained that the MWRA's charges to the Town are a sizable portion of the water and sewer budget. Those charges are increasing and they are also driving the rates Belmont charges its customers. The MWRA has spent a great deal of money on capital improvements, 80% of which was mandated (such as the Boston Harbor project) and their debt service has risen accordingly. The Legislature's debt service assistance program, which helped to keep rates down, has been slashed for the last few years. There may be some assistance coming from the Legislature in the FY07 budget but it is not safe to assume that. Belmont's combined water and sewer charges will increase 11.3% for FY07 over last year. The Town has had more modest increases over the past few years. The budget is built looking at what water usage has been over the past five years. Mr. Castanino and Mr. Jones are recommending a 2.5% increase in water rates, using retained earnings to subsidize the rate and keep it from being even higher, and a 4% increase in sewer rates.

Mr. Jones explained that under this proposal DPW would eliminate some of the capital repairs that had been planned in conjunction with road projects which may be deferred also. The goal is to try to achieve some rate stability rather than a sudden spike in rates.

The Board asked if other MWRA communities are seeing similar increases. Mr. Castanino responded that he did not have the data, but given the size of the total increase in MWRA charges it is fairly certain that other communities are seeing increases. Unlike other communities where general government subsidizes water and sewer, Belmont's water and sewer rates cover the Town's costs and keep those areas self-sufficient.

The Board moved: to support the increase in rates as recommended.

The motion passed unanimously (3-0).

The Board noted that it will discuss the capital program for sewer and stormwater at another meeting before the summer.

Review of Warrant Articles (Pay and Classification Plan, Alcohol Licenses, Housing Land)

Articles 22-23: Sale of Alcoholic Beverages

Alcoholic Beverages Licensing Committee Chairman Andy Levin and members Maryann Scali and Janice Ellard appeared before the Board.

Chairman Levin reported that under the right guidelines there are pros to these proposals such as increased economic development. Potential cons include increased teenage drinking, change to the image of the town, and possibly greater police enforcement needed. The Committee looked at the guidelines it would want the Board to look at should these pass: regulation of visibility of signage, training of employees, hours of operation, parking requirements, and if possible, sale of cigarettes and lottery tickets.

Ms. Scali said the Committee wants to be clear this is not viewed as a money making proposition in terms of fees from licenses.

There was clarification that the articles specifically limit the number of licenses to one full liquor and two beer and wine.

Ms. Scali said Committee members were concerned if this opens the door to sales of lottery tickets and cigarettes.

Ms. Ellard said that no one from the Board ever contacted them for advice on this. She stated that she voted no – she does not think this will enhance the Town and believes it's a slippery slope. Neighboring towns have package stores so it is accessible for people who want it.

Chairman Levin said that it comes down to picking the right kind of partner, if the Town can get certain guidelines in place. The Committee does not want this to be unregulated. However, even those who were not for the measure agreed the voters should have the chance to vote on these measures.

Selectman Firenze said the Board of Selectmen can put restrictions on what qualifications a licensee has to meet, such as what percentage of sales would come from alcohol and what percentage from food.

Ms. Ellard said that she visited the wine and cheese shop in Winchester and it's about 80% alcohol with one cheese case. It's a package store in disguise.

The Board agreed that if the voters and the state Legislature approve these measures, the Board would want to have regulations in place before granting any licenses.

Ms. Scali said that the Committee needs to learn more from the state folks about what can and cannot be done in terms of regulations. Also, how can Belmont recapture the liquor license related money when a business with a license sells itself to another business?

Chairman Solomon noted that one of the attractive aspects of these proposals is the possibility of increased consumer traffic which could benefit other businesses and the Town as a whole.

The Board moved: To support Articles 22 and 23.

Motion carried unanimously (3-0).

Article 16: McLean land disposition

Chairman Roger Colton, Sallye Bleiberg, and Jonathan Jacoby from the Housing Trust appeared before the Board.

Chairman Colton: This is the next step in implementing the affordable housing component of the McLean redevelopment package that was approved seven years ago. That package set aside 1.34 acres for affordable housing and additional parking for Waverley Oaks. The property is zoned for affordable housing and the developer can put up to 40 units there by right. This article transfers the authority over the property to the BOS for disposition, just as was done with Woodfall Road and the fire stations. The Housing Trust is also asking the Board to approve the release of an RFP to solicit development proposals. The Town will dispose of the property through a long-term lease. The Housing Trust will review the proposals and the Board will make a choice. Then the developer will apply for a special permit from the Planning Board to proceed. There is no Town money being spent on this. There is a federal requirement for low-income tax credits that at least 75% of the units have to be two or more bedrooms and the developer will want to get those credits.

Chairman Colton said he has talked to Superintendent Holland and he is not concerned about the impact on the schools. The number of kids spread over the three levels of schools will have a negligible impact – there is a local preference for Belmont residents and workers moving into these units – it can be as high as 70%.

Selectman Firenze asked if the developer is allowed to build 40 units, why would they build less? Chairman Colton answered that the developer has to provide 2 parking spaces per unit and there is only so much space. Part of the land is steeply banked so really it's less than 1.34 acres for practical purposes. And the ground is ledge that would have to be blasted to create underground parking and there is no money for that.

He added that the RFP specifies a low-rise development with pitched roofs that look like single-family homes. The Housing Trust is recommending a 99 year lease of the property with the option for the town to buy out the lease after 15 years. They are asking for a favorable vote on the Article, and the Board's authorization to release the RFP pending a favorable action by Town meeting.

There was discussion of possible concerns over the total number of units and the number of bedrooms. The Board asked if the developer could avoid the 75% federal rule if this was done as a 40B. The response was that a 40B probably would only have a small percentage of units – probably 8 to 10 units - that were affordable as opposed to 100% under this proposal. Chairman Colton said he thinks that would be a breach of the understanding when this land was set aside.

Selectman Firenze said he is uncomfortable having 12 of 30 units being two or three bedrooms.

Selectman Brownsberger said he is not concerned about bringing more kids or families into Belmont – the Town has a duty to create more affordable housing. 30 units or so of affordable housing were envisioned when this was started. But much of the demand for affordable housing in Belmont is for seniors looking to downsize.

There was discussion of whether there will be space for kids to play.

There was discussion of whether to eliminate language in the RFP specifying the mix of units and terms like “family housing” and let the federal requirements stand on their own.

There was discussion of the distinction between “affordable” and “low-income” housing. The RFP is specifying that 100% of the units shall be affordable to households at 80% or less of area median income.

Ms. Bleiberg said that the wait for senior affordable housing in Belmont is 1 year. The wait for family housing at Belmont Village is 5 years.

The suggestion was made to make the 10% of units below 30% of median income a relative criterion and to make the mix of units a reference to the federal guidelines rather than including specific numbers. There was general agreement that this might be a way to move forward.

The Board agreed to defer a vote on the RFP and on Article 16 until next Monday which would allow the Housing Trust to amend the RFP as discussed and to move forward on schedule if Town meeting votes in favor of this.

Article 10: Position Classification and Compensation Plan

Human Resources Director Diane Jenkins appeared before the Board.

She explained that Belmont is required by state law to have a pay and classification plan, and the Town's by-law says it will be updated regularly. All union contracts are settled so the only adjustment to the pay ranges are the 3% increases for union and management employees that were agreed to for FY06.

There was discussion of why the changes are voted on retroactively. Many towns do this and it has to do with waiting for union contracts to be settled. Ms. Jenkins said the Personnel Board met in February and they understand these rates.

The Board asked if it could get two columns added to the spreadsheet for its own review showing the number of employees in each classification and how many are at the maximum end of the range. Ms. Jenkins will take of this.

She added that this plan is not changing anyone's salary. This is just updating the Town's records to reflect what is already being done. This also protects the Town to an extent from discrimination lawsuits because there is a formal structure for salaries.

The Board moved: To support Article 10.

Motion carried unanimously (3-0).

Article 20: Other Postemployment Benefits Fund

There was discussion of the presentation that was made to the Warrant Committee on this issue. Also discussed was the role of the Retirement Board in investing these funds and what guidelines would be in place for their decisions. Mr. Younger stated there does not seem to be any other entity that could make those decisions other than the Retirement Board.

The Board moved: To approve Article 20.

Motion carried unanimously (3-0).

Article 26: Senior Property Tax Deferral

There was discussion of what the exact interest rate should be. Arlington has proposed lowering their rate to zero percent. The Board members felt comfortable with 4.5 percent.

The Board moved: To approve Article 26.

Motion carried unanimously (3-0).

Article 27: Quarterly Tax Billing Modification

The Board decided to defer action on this article and on the zoning articles until next week.

There was discussion of Articles 32 and 33 relative to the citizens' petition on zoning. Selectman Firenze expressed frustration that we have not been able to help the proponents do what they are trying to do. Mr. Conti agreed to share with the Board Town Counsel's comments on these articles and the Board will defer these articles to next week.

The Board discussed a proposed order of articles submitted by Mr. Younger and Mr. Conti.

The Board moved: To approve the order of articles as proposed for both the Annual and Special Town Meetings.

Motion carried unanimously (3-0).

Chairman Solomon read the list of recognitions that will be made at Town Meeting. He also noted the Moderator has decided not to allow oral reports from the building committees but to require written reports which can be distributed to the Town Meeting members. The moderator was comfortable having the committees come before the Board to report publicly.

Discussion of FY 07 Budget

Selectman Brownsberger noted he would prefer to use a portion of free cash to avoid position cuts among school teachers. There was discussion. Mr. Younger mentioned that there are two proposed amendments to the House budget that would mean about \$500,000 in additional Chapter 70 local aid for Belmont.

Town Administrator's Report

Mr. Younger reported that a tour of the central Fire Station took place today with 6 individuals for about an hour.

166 Concord Avenue: A demolition permit has been issued to the family, but the Town will maintain the status of legal action if in fact the demolition does not occur.

Town Counsel would like to meet with the Board in executive session on the O'Neill MOA.

Cemetery sales update – as of today approx. \$960,000 in lot sales.

Harvard Lawn Fire Station Committee – The Vision 21 Committee has recommended Meg O'Brien as a member for this committee and Donna Brescia as an alternate. The Board agreed to approve this suggestion by consensus without a vote.

Senior Center lease: The Archdiocese did not respond by the Town's deadline which was today. The Senior Center project timeline shows that it should be ready for operation by November 2007. Mr. Younger would like to prepare to move into the trailers until that date. The Board recommended Mr. Younger formally notify the Archdiocese that we have begun this process by letter, and agreed that the process must begin. Mr. Younger noted that this also means the Senior Center building and parking lot will be subject to property tax.

Action by Consent

Application for Licenses and Permit – Renewals

Victualler License

Manetas Inc, DBA Andros Diner, 628 Trapelo Road

Used Car Dealer - Class II

LVF Corporation DBA Lenny's Service Center, 768 Pleasant Street

The Board moved: To approve the licenses.

Motion carried unanimously (3-0).

Other

The Board expressed its concern that only minimal work is being done on Pleasant Street and urged Mr. Younger to follow up on this.

Sherman Street parking issues: Mr. Conti will follow up on this after Town Meeting.

There was discussion of the decision whether or not to pursue an ASP solution for the software project and the Information Technology Advisory Committee's concerns regarding the cost and personnel requirements for an in-house approach. The software committee does not agree with these concerns and feels the Town has the resources to handle this. Mr. Younger will submit to the Board a paragraph by paragraph rebuttal of the concerns.

The Board moved: To appoint Leo Saidnawey to the Metro Boston EMS Council, Inc.

Motion carried unanimously (3-0).

There was discussion of an appointment to the Uplands Advisory Committee and whether the Board should clarify the committee's charge before making an appointment. The Board agreed to ask the Committee how they want to redefine their role and then will make a decision on that first.

Selectman Firenze shared the contents of a petition he received on keeping the Benton Library open. He suggested that the petitioners make their case to the Library Trustees

and the Warrant Committee. This will be discussed at a joint Board meeting with the Trustees between now and the May Town Meeting.

The Board moved: To enter into executive session for the purpose of discussing litigation and not to return to open session.

Motion carried unanimously (3-0). The Board entered executive session at 11:25 PM.

(During executive session, one substantive motion was passed unanimously. The Board adjourned at 11:31 PM.)

Thomas G. Younger
Town Administrator